

ABSTRACT

Association has significant function in society. Provisions concerning associations in *Burgerlijk Wetboek voor Indonesie* and *Staatsblad* 1870 Number 64 is simple so it no longer accomodate the conditions of today's society. Law No. 17 of 2013 on Civil Society Organizations also regulates associations, but it does not provide substantive provisions. The provisions in these three laws and regulations are not sufficient to regulate associations with their current conditions and roles. In Indonesia the doctrine of association is not much developed. Associations are often equated with civil partnerships, mass organizations, civil society organizations, or foundations. In regard of these conditions, this research aims (1) to find the characteristics (nature) of association, (2) to find governance of association, including its structure, (3) to find association's and its organs' liability. Therefore, the writer conducted a legal research concerning:

1. The characteristics of association;
2. The governance of association;
3. The liability of association and it's organ.

This research is a doctrinal research which utilizes statutes approach, conceptual approach, historical approach, and comparative approach. The results obtained from this research are as follows: first, the association has characteristics as a voluntary organization established to achieve a non profit purpose by gathering members, is comprised of members, running in direct mutual assistance, and has the character of legal person. Second, the organ of association consists at least of members meeting and management. Certain associations have a supervisor or other organ, according to the circumstances of each association. The governance of association is conducted on the principle of good faith and good governance that includes independence, responsibility, accountability, and transparency. Third, the association with the status of legal entity has limited liability. The association that does not have status as legal entity but possesses legal personality are liable jointly and severally with their management, while the assosiation that does not have legal personality does not have liability. The organs of association are accountable if their actions harm other people, members, or associations.

Keywords: association, legal person, legal entity, liability